

HOUSE BILL 310

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2003 Regular Session  
(31r2058)

**ENROLLED BILL**

-- Health and Government Operations/Education, Health, and Environmental Affairs --

Introduced by **Delegate Hurson (Chairman, Health and Government  
Operations Committee)**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Board of Social Work Examiners - Sunset Extension and Program**  
3 **Evaluation**

4 FOR the purpose of continuing the State Board of Social Work Examiners in  
5 accordance with the provisions of the Maryland Program Evaluation Act (Sunset  
6 Law) by extending to a certain date the termination of provisions relating to the  
7 statutory and regulatory authority of the Board; providing for the filling of  
8 certain vacancies on the Board under certain circumstances; authorizing the  
9 Board to elect certain officers; requiring that an evaluation of the Board and the  
10 statutes and regulations that relate to the Board be performed on or before a  
11 certain date; requiring the Board and the Department of Health and Mental  
12 Hygiene to submit a certain report to certain committees on or before a certain  
13 date; and generally relating to the State Board of Social Work Examiners.

14 BY repealing and reenacting, with amendments,  
15 Article - Health Occupations

1 Section 19-202(a), 19-203, and 19-502  
 2 Annotated Code of Maryland  
 3 (2000 Replacement Volume and 2002 Supplement)

4 BY repealing and reenacting, without amendments,  
 5 Article - State Government  
 6 Section 8-403(a)  
 7 Annotated Code of Maryland  
 8 (1999 Replacement Volume and 2002 Supplement)

9 BY repealing and reenacting, with amendments,  
 10 Article - State Government  
 11 Section 8-403(b)(64)  
 12 Annotated Code of Maryland  
 13 (1999 Replacement Volume and 2002 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Health Occupations**

17 19-202.

18 (a) (1) The Board consists of 11 members.

19 (2) Of the 11 Board members:

20 (i) 9 shall be licensed social workers of whom:

21 1. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, 1 is a  
 22 licensed social work associate;

23 2. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, 1 is a  
 24 licensed graduate social worker at the time of appointment;

25 3. At least 1 is a licensed certified social worker;

26 4. At least 4 are licensed certified social workers-clinical;  
 27 and

28 5. 1 is a licensed social worker employed by the Department  
 29 of Human Resources; and

30 (ii) 2 shall be consumer members.

31 (3) IF A LICENSED SOCIAL WORK ASSOCIATE OR A LICENSED GRADUATE  
 32 SOCIAL WORKER IS NOT APPOINTED TO THE BOARD UNDER ~~ITEMS 1, AND 2, OF~~  
 33 ~~SUBPARAGRAPH (1)~~ PARAGRAPH (2)(1) AND 2 OF THIS SUBSECTION WITHIN ~~SIX~~ 6

1 MONTHS OF A VACANCY, A LICENSEE OF ANY LICENSE LEVEL SHALL BE APPOINTED  
2 IMMEDIATELY IF THAT LICENSEE IS QUALIFIED TO BE A MEMBER OF THE BOARD  
3 UNDER ~~SUBSECTION (C)~~ SUBSECTIONS (B) AND (D) OF THIS SECTION.

4 [(3)] (4) The Governor shall appoint all members of the Board with the  
5 advice of the Secretary and the advice and consent of the Senate.

6 [(4)] (5) The Governor shall appoint all social work members of the  
7 Board from a list of nominees containing names submitted by:

8 (i) Professional social work associations in the State;

9 (ii) Any person who provides a statement of nomination signed by  
10 at least 25 social workers licensed in the State; or

11 (iii) The secretaries of public agencies of the State where social  
12 workers are employed.

13 19-203.

14 (a) (1) From among its members, the Board shall elect a chairman and a  
15 secretary every 2 years.

16 (2) THE BOARD MAY ELECT OTHER OFFICERS AS NECESSARY TO  
17 FULFILL THE DUTIES AND RESPONSIBILITIES OF THE BOARD.

18 (b) The Board shall determine:

19 (1) The manner of election of the chairman, [and] secretary, AND OTHER  
20 OFFICERS; and

21 (2) The duties of each officer.

22 19-502.

23 Subject to the evaluation and reestablishment provisions of the Program  
24 Evaluation Act, this title and all rules and regulations adopted under this title shall  
25 terminate and be of no effect after July 1, [2004] 2014.

## 26 Article - State Government

27 8-403.

28 (a) On or before December 15 of the 2nd year before the evaluation date of a  
29 governmental activity or unit, the Legislative Policy Committee, based on a  
30 preliminary evaluation, may waive as unnecessary the evaluation required under this  
31 section.

32 (b) Except as otherwise provided in subsection (a) of this section, on or before  
33 the evaluation date for the following governmental activities or units, an evaluation

1 shall be made of the following governmental activities or units and the statutes and  
2 regulations that relate to the governmental activities or units:

3 (64) Social Work Examiners, State Board of (§ 19-201 of the Health  
4 Occupations Article: July 1, [2003] 2013);

5 SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Social  
6 Work Examiners and the Department of Health and Mental Hygiene shall report to  
7 the Senate Education, Health, and Environmental Affairs Committee and the House  
8 ~~Environmental Matters~~ Health and Government Operations Committee on or before  
9 October 1, 2003, in accordance with § 2-1246 of the State Government Article, on the  
10 implementation of the recommendations of the Department of Legislative Services  
11 contained in the sunset evaluation report dated October 2002.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 July 1, 2003.